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- aining the vector or vectors or by microprojectile-mediated delivery of the vector into the callus;
- (i) culturing said transformed embryogenic callus on selection medium;
  - (j) culturing said transformed embryogenic callus containing embryos on developmental medium containing an osmotic pressure increasing agent;
  - (k) culturing said transformed embryos on maturation medium; and
  - (l) recovering transgenic plants from said transgenic embryos.

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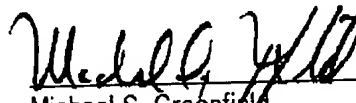
**REMARKS**

The applicants submit these claim amendments to correct a typographical error in claim 39 that appeared in the previously-filed after-final response (filed 10/15/01) in which reference was made in part (h) to parts c(i) and c(ii). Claim 39 as amended herein properly refers to parts h(i) and h(ii). Enclosed herewith are redlined and clean versions of the amended claims.

The applicants rely on and reiterate the arguments made in the previously filed after-final response.

If there are any questions or comments regarding this Response or application, the Examiner is encouraged to contact the undersigned attorney as indicated below.

Respectfully submitted,



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**CLAIMS FOR APPLICATION SERIAL NO. 08/903,944****Redlined Version of Amended Claims**

6. (Four Times Amended) A method for producing transgenic poinsettia plants, comprising:
- (a) incubating poinsettia plant tissue explants that produce reddish epidermal callus on auxin- and cytokinin-containing callus induction medium;
  - (b) culturing reddish epidermal callus on embryo induction medium comprising casein hydrolysate and  $\text{NH}_4^+$  and/or  $\text{NO}_3^-$  to form embryogenic callus;
  - (c)
    - (i) introducing an expression vector into said incubating embryogenic callus to produce transformed embryogenic callus, wherein said expression vector comprises a selectable marker gene and a second foreign gene, or
    - (ii) introducing two expression vectors into said incubating embryogenic callus to produce transformed embryogenic callus, wherein one of said expression vectors comprises a selectable marker gene, and wherein the second of said expression vectors comprises a second foreign gene;-wherein the vector or vectors of (c)(i) and (c)(ii) are introduced into the incubating embryogenic callus by co-incubating the callus with *Agrobacterium tumefaciens* containing the vector or vectors or by microprojectile-mediated delivery of the vector into the callus;
  - (d) culturing said transformed embryogenic callus on selection medium;
  - (e) culturing said transformed embryogenic callus containing embryos on developmental medium containing an osmotic pressure increasing agent;
  - (f) culturing said transgenic embryos on maturation medium; and
  - (g) recovering transgenic plants from said transgenic embryos.
39. (Five Times Amended) A method for producing transgenic poinsettia plants, comprising:
- (a) incubating poinsettia plant tissue explants that produce reddish epidermal callus in auxin- and cytokinin-containing callus induction medium;

- (b) subculturing embryogenic callus produced on said callus induction medium to liquid  $\text{NH}_4^+$  and/or  $\text{NO}_3^-$  containing embryo induction medium;
- (c) filtering the culture and culturing the filtrate in fresh liquid embryo induction medium;
- (d) filtering the culture and culturing the filtrate on solid embryo induction medium;
- (e) subculturing embryos produced on said embryo induction medium to maturation medium;
- (f) culturing said embryos on callus induction medium;
- (g) subculturing epidermal callus produced on said callus induction medium ~~on to~~ embryo induction medium to form embryogenic callus;
- (h)
  - (i) introducing an expression vector into said embryogenic callus to produce transformed embryogenic callus, wherein said expression vector comprises a selectable marker gene and a second foreign gene, or
  - (ii) Introducing two expression vectors into said embryogenic callus to produce transformed embryogenic callus, wherein one of said expression vectors comprises a selectable marker gene, and wherein the second of said expression vectors comprises a second foreign gene;

wherein the vector or vectors of (h)(i) and (h)(ii) are introduced into the incubating embryogenic callus by co-incubating the callus with *Agrobacterium tumefaciens* containing the vector or vectors or by microprojectile-mediated delivery of the vector into the callus;

  - (i) culturing said transformed embryogenic callus on selection medium;
  - (j) culturing said transformed embryogenic callus containing embryos on developmental medium containing an osmotic pressure increasing agent;
  - (k) culturing said transformed embryos on maturation medium; and
  - (l) recovering transgenic plants from said transgenic embryos.

102. (Three Times Amended) A method for producing transgenic poinsettia plants comprising the steps of:

- (a) incubating poinsettia plant tissue explants that produce epidermal callus on auxin- and cytokinin-containing callus induction medium;

- (b) subculturing embryogenic callus to embryo induction medium comprising casein hydrolysate and  $\text{NH}_4^+$  and/or  $\text{NO}_3^-$  to form embryogenic callus containing embryos;
- (c)
  - (i) introducing an expression vector into said incubating embryogenic callus to produce transformed embryogenic callus, wherein said expression vector comprises a selectable marker gene and a second foreign gene, or
  - (ii) introducing two expression vectors into said incubating embryogenic callus to produce transformed embryogenic callus, wherein one of said expression vectors comprises a selectable marker gene, and wherein the second of said expression vectors comprises a second foreign gene;

wherein the vector or vectors of (c)(i) and (c)(ii) are introduced into the incubating embryogenic callus by co-incubating the callus with *Agrobacterium tumefaciens* containing the vector or vectors or by microprojectile-mediated delivery of the vector into the callus;

  - (d) culturing said transformed embryogenic callus on selection medium;
  - (e) culturing said embryogenic callus containing embryos on developmental medium containing an osmotic pressure increasing agent;
  - (f) culturing said transgenic embryos on maturation medium; and
  - (g) recovering transgenic plants from said transgenic embryos.

103. (Twice Amended) A method for producing transgenic poinsettia plants comprising the steps of:

- (a) incubating poinsettia plant tissue explants that produce epidermal callus on auxin- and cytokinin-containing callus induction medium;
- (b) subculturing embryogenic callus produced on said callus induction medium to liquid embryo induction medium comprising casein hydrolysate and  $\text{NH}_4^+$  and/or  $\text{NO}_3^-$ ;
- (c) filtering the culture and culturing the filtrate in fresh liquid embryo induction medium;
- (d) filtering the culture and culturing the filtrate on solid embryo induction medium;
- (e) subculturing embryos produced on said embryo induction medium to maturation medium;
- (f) culturing said embryos on callus induction medium;

- (g) subculturing embryogenic callus produced on said callus induction medium ~~on to~~  
embryo induction medium to form embryogenic callus containing embryos;
- (h)
- (i) introducing an expression vector into said incubating embryogenic callus to produce transformed embryogenic callus, wherein said expression vector comprises a selectable marker gene and a second foreign gene, or
  - (ii) introducing two expression vectors into said incubating embryogenic callus to produce transformed embryogenic callus, wherein one of said expression vectors comprises a selectable marker gene, and wherein the second of said expression vectors comprises a second foreign gene;
- wherein the vector or vectors of (h)(i) and (h)(ii) are introduced into the incubating embryogenic callus by co-incubating the callus with *Agrobacterium tumefaciens* containing the vector or vectors or by microprojectile-mediated delivery of the vector into the callus;
- (i) culturing said transformed embryogenic callus on selection medium;
  - (j) culturing said transformed embryogenic callus containing embryos on developmental medium containing an osmotic pressure increasing agent;
  - (k) culturing said transformed embryos on maturation medium; and
  - (l) recovering transgenic plants from said transgenic embryos.